

# Citizenship Handbook

2001 EDITION

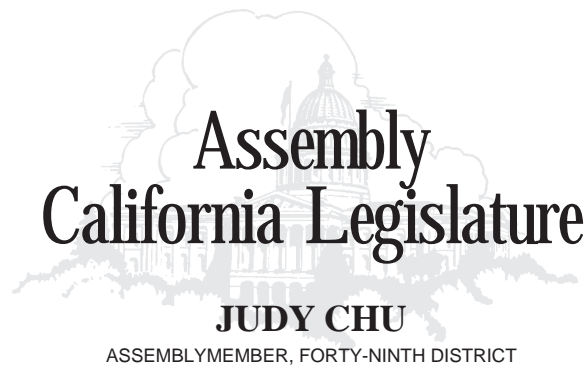


COMPLIMENTS OF  
**Assemblymember Judy Chu**

**SACRAMENTO OFFICE**  
STATE CAPITOL  
P.O. BOX 942849  
SACRAMENTO, CA 94249-0049  
(916) 319-2049  
FAX (916) 319-2149

**DISTRICT ADDRESS**  
1255 CORPORATE CENTER DRIVE  
SUITE PH. 9  
MONTEREY PARK, CA 91754  
(323) 981-3426  
FAX (323) 981-3436

**E-MAIL:**  
Assemblymember.Chu@assembly.ca.gov



Dear Friend:

The decision to become a U.S. citizen is an important one. Citizenship is both a privilege and a great responsibility. I am pleased that you have chosen to go through the immigration and naturalization process to become a U.S. citizen.

I want you to know that as your Assemblymember, one of my most important jobs is to make government work for you.

That's why I have prepared this Citizenship Handbook to help you become a citizen. This handbook provides basic facts about the United States government and history. It also includes 115 questions and answers that are frequently asked by Immigration Officers during the citizenship test.

My staff and I have made our best effort to provide you with an accurate summary of the law and procedures at this point in time. All of these can change over time. With regard to particular legal requirements and procedures you should be sure to check with the INS.

We are available on a daily basis to answer questions you may have about government and current legislation, to resolve problems and complaints, and to tell you about programs that may benefit you. Please call, visit or write if I can be of assistance to you.

Sincerely,

A handwritten signature in black ink that reads 'Judy Chu'. The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

JUDY CHU  
ASSEMBLYMEMBER, 49TH DISTRICT

## **CITIZENSHIP**

To apply for citizenship, a person must:

1. Be at least 18 years of age;
2. Have been lawfully admitted to this country; and
3. Have resided in this country five years (three years if he/she is married to a United States citizen).

## **THE PROCESS**

There are four basic steps to becoming a citizen:

1. Complete an application for naturalization (Form N-400) and attach three photographs.

An application package can be obtained from the United States Immigration and Naturalization Office in Los Angeles, located at 300 N. Los Angeles Street. The office is open Monday, Tuesday, Wednesday, and Friday from 6:00 a.m. to 3:00 p.m., and on Thursday from 6:00 a.m. to 12:00 Noon. (800) 375-5283

2. Submit the completed application to the immigration office by mail or in person. You must pay the \$95.00 application fee at this time. A notice will be sent to you indicating the INS location where you should go for fingerprinting and the time period in which you should appear. You must bring this notice when you come for fingerprinting. The INS will submit the fingerprint card to the Federal Bureau of Investigation (FBI) for a background check, which will be completed before you are scheduled for a naturalization interview.
3. A notice will be mailed to you with the date for an interview, which will include questions on U.S. history, the Constitution, and government.
4. Upon completion of the interview, you will be notified if you passed.

## **BENEFITS OF CITIZENSHIP**

There are many benefits to becoming a citizen, including:

1. The right to vote in all local, state, and national elections;
2. The right to apply for jobs with the federal government, defense contractors, and state and local law enforcement agencies; and
3. The right to file a petition to bring your family or relatives to this country.

## EARLY AMERICAN HISTORY

Christopher Columbus was born in Italy. He was a sailor who was looking for a western route to Asia. Queen Isabella of Spain gave him a crew and three small ships -- the Santa Maria, the Nina and the Pinta — and, on August 3, 1492 Columbus set sail from Spain. On October 12, 1492, he landed on a small island in the Bahamas, discovering a new world called America.

The first successful English settlement was founded at Jamestown, Virginia, in 1607. In 1620, the Pilgrims left England for Virginia but were blown off their course and landed in Massachusetts, where they settled the Colony of Plymouth. (The Thanksgiving holiday is celebrated in November each year in honor of the Pilgrims.)

In 1776, there were thirteen British colonies in North America. They were:

Connecticut	Massachusetts	North Carolina
Delaware	New Hampshire	Pennsylvania
Georgia	New Jersey	Rhode Island
Maryland	New York	South Carolina
Virginia		

These colonies later became the first 13 states of the United States of America.

After the French and Indian War, England forced the colonists to pay taxes for its army in America. The colonists believed it was unfair that they had no representatives in the British Parliament. Many refused to buy goods from England, resulting in King George and Parliament finally agreeing to repeal all taxes, except the tax on tea.

In 1773, the colonists boarded the ships of the British East India Company and threw the tea into Boston Harbor in protest (known as the Boston Tea Party). The British Parliament closed the Boston port and limited the freedom of the colonists. The colonists elected representatives to the First Continental Congress, which met in Philadelphia in 1774. Congress sent a letter to King George asking him to respect the rights of the colonists; however, King George refused. The Second Continental Congress, made up of delegates from all 13 colonies, met in Philadelphia on May 10, 1775. They elected George Washington as commander-in-chief of the Continental Army and declared war against the British.

Thomas Jefferson, a leading member of the Congress, wrote the Declaration of Independence, which was adopted on July 4, 1776. It declared that all men are created equal and they have the right to enjoy life, liberty and the pursuit of happiness. The Declaration of Independence also stated that governments are established to protect the rights of the people and that laws should not be made unless the people agree to them.

King George decided that England would fight to keep the colonies, but England was also at war at that time with the Spanish, French, and Dutch. France decided to help George Washington continue to fight. This was called the Revolutionary War. Finally, in 1781, Wash-

ington beat the British at Yorktown. This ended the war, and two years later a peace treaty was signed between England and the United States.

In 1787, the states sent their most able leaders as delegates to the Constitutional Convention in Philadelphia. The delegates created the Constitution of the United States, one of the most famous and respected documents, which provided for three branches of government:

- the **Legislative Branch**, called Congress, which makes the laws;
- the **Executive Branch**, headed by the President, which enforces the law; and
- the **Judicial Branch**, headed by the Supreme Court, which interprets the law.

The delegates created a document that binds the states together as a nation but leaves power in the hands of the people.

The people elected George Washington as the first President of the United States. They also elected a new Congress, which consists of two Houses -- the Senate and the House of Representatives.

### **The Bill of Rights**

Seventy-two amendments to the Constitution were approved by Congress and were sent to the states for acceptance. By 1791, ten of the amendments were ratified and became law. These amendments were written into the Constitution and were called the Bill of Rights. They are as follows:

**First Amendment — Freedom of Religion, of Speech, and of the Press; Right to Assembly and Right of Petition.** Guarantees freedom of religion, freedom of speech, and freedom of the press; guarantees the right to assemble and petition.

**Second Amendment — Right to Keep Arms.** Gives the people the right to have weapons.

**Third Amendment — Quartering of Soldiers.** Provides that, in time of peace, no soldiers shall be placed in a private home without the approval of the owners.

**Fourth Amendment — Warrants of Search and Seizure.** Assures that there shall be no search or seizure of persons or things without the legal authority of a warrant, properly issued, setting forth the cause, and describing the person or place to be searched or the person(s) or thing(s) to be seized.

**Fifth Amendment — Guarantees in Criminal Cases, Fair Price for Property.** Guarantees that no person can be held to answer (brought to trial) for a serious crime without first having been accused by a Grand Jury, with the

exception of persons in military service in time of war or public danger. (Members of the armed forces are tried by a military court without action by a Grand Jury). No person can be tried twice for the same crime. No person in any criminal case shall be required to testify against himself. Life, liberty, or a person's property shall not be taken from him/her without a court trial. Property will not be taken for public use without a fair price being paid for it.

**Sixth Amendment — Rights of Accused Persons.** Guarantees an accused person the right to a trial by jury. Provides that a person accused of a crime must be told plainly the nature of the crime of which he/she is accused. The accused has the right to have a lawyer defend him/her. An accused person has the right to hear and question those who say he/she has committed a crime. All witnesses who testify against an accused person must do so in his/her presence. A defendant has the right to compel any person to appear in court as a witness to testify in his/her favor.

**Seventh Amendment — Trial by Jury in Civil Cases.** Guarantees a trial by jury in any lawsuit involving a claim of more than \$20.

**Eighth Amendment — Excessive Punishment.** Prohibits an excessive bail, excessive fine, and cruel and unusual punishment.

**Ninth Amendment — Rights Reserved to the People.** Declares that rights the people may have had before the adoption of the Constitution are not taken away, nor do they have any lesser value, because they are not mentioned in the Constitution.

**Tenth Amendment — Powers Reserved to the States.** Declares that any powers not given to the federal government, nor clearly taken away from the states, are reserved to the states, or to the people.

### **Constitutional Amendments Passed after the Bill of Rights**

Eleventh Amendment	(1795)	A citizen of one state, or an alien, cannot sue another state in a federal court.
Twelfth Amendment	(1804)	Electors must vote for President and Vice President separately.
Thirteenth Amendment	(1865)	Ended slavery.
Fourteenth Amendment	(1868)	All persons naturalized in the United States are citizens.
Fifteenth Amendment	(1870)	No person can be kept from voting because of race or color.

Sixteenth Amendment	(1913)	Congress has the power to put a tax on money earned by the people.
Seventeenth Amendment	(1913)	Senators are to be elected by the people.
Eighteenth Amendment	(1919)	Prohibited the making, selling or transportation of intoxicating liquor.
Nineteenth Amendment	(1920)	No person can be kept from voting because of being a woman.
Twentieth Amendment	(1933)	The President, the Vice President, and the Congress shall take office in January.
Twenty-first Amendment	(1933)	Did away with the Eighteenth Amendment.
Twenty-second Amendment	(1951)	The same person cannot be elected President more than twice.
Twenty-third Amendment	(1961)	Citizens living in the District of Columbia can vote for President and Vice President.
Twenty-fourth Amendment	(1964)	Citizens cannot be made to pay a tax to vote for the President, the Vice President or Members of Congress.
Twenty-fifth Amendment	(1967)	The Vice President becomes Acting President when the President is disabled.
Twenty-sixth Amendment	(1971)	A citizen shall not be denied the right to vote because of age if he/ she is eighteen years of age or older.
Twenty-seventh Amendment	(1992)	No law, varying the compensation for the services of Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

## **THE THREE BRANCHES OF GOVERNMENT**

### **The Executive Branch: The Administration**

The President and Vice President are elected by the people. The President appoints the Cabinet members, also known as secretaries. The President names the appointees and the Senate approves, or confirms, the appointments. Each secretary is an expert in a certain area and advises the President.

The President, Vice President, attorney general and the 13 Cabinet members make up the Executive Branch at the federal level. The Executive branch (also called the administration) executes, or carries out, the laws. It also recommends new laws to Congress; about eight of every ten new laws are recommended by the Executive branch. The President is called the chief executive.

Cabinet members and their area of responsibility include:

1. Secretary of State (foreign relations);
2. Secretary of Treasury (money);
3. Secretary of Defense (military matters);
4. Attorney General (legal matters);
5. Secretary of Interior (parks, government lands, natural resources);
6. Secretary of Agriculture (farms);
7. Secretary of Commerce (business);
8. Secretary of Labor (working people);
9. Secretary of Health and Human Services (social programs);
10. Secretary of Housing and Urban Development (housing and rebuilding cities);
11. Secretary of Transportation (airlines, highways);
12. Secretary of Energy (sources of power);
13. Secretary of Education (education); and
14. Secretary of Veterans Administration (veterans' affairs).

### **Qualifications for President**

To be elected President, a person must be:

1. At least 35 years old;
2. A natural-born citizen; and
3. A resident of the U.S. for 14 years.



## Term of President

The President is:

1. Elected for four years; and
2. Limited to two terms (plus less than two years if the President serves a portion of his/her predecessor's term).

## Powers of the President

The Constitution lists the powers of the President. The Supreme Court decides if the President uses too many powers, or uses them inappropriately. The House can impeach the President by charging him/her with improper conduct; the Senate then would try the President on those charges.

The President's powers include serving as:

1. COMMANDER-IN-CHIEF: Head of all armed services; uses **police power** to protect Americans or American property overseas; uses **armed forces** to settle domestic problems.
2. CHIEF EXECUTIVE: Appoints officials; sets up departments and agencies; supervises government employees.
3. LAW-ENFORCER: Top law-enforcer (directs the FBI and the Attorney General to enforce the laws); enforces court decisions; power to pardon, reprieve and commute sentences.
4. CHIEF DIPLOMAT: Sets foreign policy; recognizes foreign governments; receives foreign ambassadors; negotiates treaties with foreign governments.
5. CHIEF OF STATE: Represents the United States; symbol of the United States to the world; performs ceremonies.
6. CHIEF LEGISLATOR: Power to recommend laws; influences legislators to vote on certain laws. In January each year, the President makes his "State of the Union" speech to Congress. In this speech, the President suggests laws, budgets, and foreign policy to Congress for the upcoming year.
7. CHIEF POLITICIAN: Head of his political party; uses influence to get others from his party elected at federal and state level. The goal is for the President's party to be the majority party in each house of Congress.

## Limits on the President's Powers

The American system of checks-and-balances limits the power of the Executive branch in the following manner:

1. Congress has the power of the purse; the President can use his influence to get a bill passed but, if Congress refuses to pass a law allotting money to implement the bill, then the bill is generally not enforced.
2. Congress can impeach the President.
3. Congress can investigate the President or any person.
4. The Supreme Court can rule on whether or not the President's actions are legal, or constitutional.
5. The President can negotiate treaties and declare war, but Congress has to ratify, or approve the action.
6. The Senate confirms all appointments made by the President.
7. Congress can override a President's veto. (It takes two-thirds of each house of Congress voting "yes" for an override.)

Congress has the power to declare war officially, but it is the President who suggests the war. There have been seven official wars in the U.S. history, and several "undeclared wars." The principle of commander-in-chief is that a civilian should have the control over the military. Therefore, it is a civilian who makes decisions about use of the military. During World War II, it was President Truman who decided to drop the atomic bomb on Japan.

The President can use the military without declaring war. This is because he has police power or the power to use the military as a police force to protect Americans or American property in other countries. The President may use this power to send troops to other countries for "short wars." It is this power that allowed the United States to fight in Korea and in Vietnam.

Following the Vietnamese "Police Action," Congress passed a law that requires the President to notify Congress if American troops are sent overseas; the troops must be removed from that country within 60 days, unless Congress agrees. The reason for police action is to protect Americans or their property, or to honor a treaty commitment.

The President can use the military to settle conflicts inside the United States and to enforce the law. In the mid-1960s, the army was used to help protect people and property when the law required that blacks and whites be allowed to use the same schools, beaches, restrooms, swimming pools, restaurants, hotels and buses.

## **The Legislative Branch: Congress**

A member of the House of Representatives serves a two-year term. The entire House (435 members) is elected or re-elected every two years. A senator serves a six-year term. In the Senate (100 members), one-third of the members are elected every two years.

### **Qualifications for Office**

To be elected as a U.S. Representative, you must be:

1. At least 25 years of age;
2. A United States citizen for at least seven years; and
3. A resident of the state.

To be elected as a U.S. Senator, you must be:

1. At least 30 years of age;
2. A United States citizen for at least nine years; and
3. A resident of the state.

Representatives are elected by their districts; senators are elected by the whole state.

### **Why Are There Two Houses of Congress?**

Congress is bicameral ("bi" = "two"; "cameral" = "room" or "chamber"). The writers of the Constitution were from England where the government had two houses. In addition representatives of the states argued about which states would have the most power. Equal representation gives all states equal power; representation based on population gives the states with larger populations more power than the states with smaller populations.

Having two houses is a compromise. In the Senate, each state has equal power (two senators from each state); in the House, the large states have more power (the number of representatives is based on the number of people in the state).

The bicameral system works well because it:

1. **SERVES AS A BRAKE:** A bill must be approved by both houses of Congress, meeting separately, so it's less likely that a bill can be rushed through.
2. **PREVENTS LAWS FAVORING ONE SECTION OF THE COUNTRY:** Areas with large populations, like the northeast, cannot get laws passed which favor their area but are a disadvantage to the rest of the country.
3. **PROVIDES FOR DIFFERING VIEWPOINTS:** Because House representatives are all elected at the same time every two years, voting citizens can have more power. For example, if there is a terrible nuclear accident, and the citizens all become con-

cerned about the building of more nuclear weapons and power plants, Representatives who favor limiting nuclear power will probably be elected at the next election, and those favoring nuclear power will not.

On the other hand, changing only one-third of the Senate at one time provides continuity and stability.

4. **PROVIDES TIME FOR REVIEW:** The bicameral process is a slow process, providing citizens the time to write letters and visit their representative.

The bicameral system has disadvantages because it:

1. **DELAYS IMPORTANT LAWS:** The slow process is sometimes a disadvantage. Important laws, which are needed immediately, take too long to go through both houses.
2. **ALLOWS SPECIAL INTEREST GROUPS TOO MANY CHANCES TO INFLUENCE A BILL:** The process allows citizens the time to write letters and visit their representative, but it also allows special interest groups time to lobby for their interests. Sometimes they can change public opinion or influence members of Congress.

Despite these disadvantages, the bicameral system is the way that laws are made in the United States.

## **What is the Term of Congress?**

The term of Congress is based on the election of the representative. A new term begins when a new House meets for the first time. The Congress that met in January 1995 was the 105th Congress. The Congress that came together in January 1997 and is meeting now is the 106th Congress.

Each term is divided into two sessions. Each session lasts a year. A President can call a special session, and members must return from their districts to meet again.

## **How is Congress Organized?**

Congress is made up of 535 people who consider more than 20,000 bills during each session.

The leader of the House of Representatives is the Speaker of the House. The Speaker is selected by majority vote of the members of the Congress and is generally the leader of the majority party (Democratic or Republican, depending upon which party has the most members).

The Speaker of the House would become President if both the President and Vice President left office (death, resignation, or impeached).

The leader of the Senate is the Vice President of the United States. Usually, the Vice President has another senator take his place as the President of the Senate. The Vice President votes in the Senate only if there is a tie.

Each House has majority and minority party leaders. Party whips are assistants to the party leaders. The business of both houses of Congress takes place mostly in committees. There are four kinds of committees:

1. **STANDING COMMITTEES:** These are permanent committees.

In the SENATE, the most important committees and their areas of responsibility include:

- A. Appropriations — all money spending bills; it has the “power of the purse”;
- B. Finance — taxes, tariffs, social security;
- C. Foreign Relations — issues affecting other countries; and
- D. Armed Services — military issues; decides whether or not new weapons are built.

The Senate has a total of 16 standing committees.

In the HOUSE, the most important committees and their areas of responsibility include:

- A. Appropriations — all money spending bills; has the “power of the purse”;
- B. Rules — very powerful; can consider a bill out of the normal course of committee hearing order; a bill must be heard in committee in order to become a law; and
- C. Ways and Means — taxes, tariffs, social security.

The House has a total of 18 standing committees.

- 2. **SELECT (SPECIAL) COMMITTEES:** These are organized to investigate areas of special study. For example, in 1975, the Senate Select Committee on Intelligence was organized to investigate the Central Intelligence Agency (CIA).
- 3. **JOINT COMMITTEES:** These committees have an equal number of representatives and senators on them. They consider complex issues, such as the American economy. Their findings are reported to the public and to the Congress.
- 4. **CONFERENCE COMMITTEES:** These are temporary committees set up so that the Congress can take up bills under consideration by both the Senate and the House. Conference Committees work on the wording of a bill that passed both houses in different forms.

Each member of Congress may serve on four or five different committees. Standing committees are often divided into subcommittees. Members may request committee assignments, but the leaders decide on the final assignments.

## How Does a Bill Become Law?

Most bills take several months, or even years, to become law. A bill must follow several procedural steps in order to become a law:

1. THE BILL IS WRITTEN. The President, or his Cabinet, suggests 80 percent of the bills considered.
2. THE BILL IS INTRODUCED, printed and assigned a number.
3. THE BILL IS ASSIGNED TO A STANDING COMMITTEE.
4. THE BILL IS ASSIGNED TO A SUBCOMMITTEE BY THE STANDING COMMITTEE CHAIR. The subcommittee schedules a hearing and interested parties express their opinions for and against the bill.
5. THE BILL IS HEARD IN THE FULL COMMITTEE. The bill may be "marked up" (changed or amended) and then is "reported out" (sent to the "floor" of the full House or Senate). It is then put on the calendar for debate.
6. THE BILL IS DEBATED ON THE FLOOR. Members argue for and against the bill. There may be more changes and amendments.
7. THE BILL IS VOTED ON AND SENT TO THE OTHER HOUSE. If the bill is amended and passed by one House, it is sent to the other House. If the bill is passed without changes (amendments) by both Houses, it is sent directly to the President. If the bill has been amended, it is assigned to a conference committee.
8. THE CONFERENCE COMMITTEE DRAFTS A COMPROMISE BILL acceptable to both Houses.
9. BOTH HOUSES VOTE ON THE COMPROMISE BILL. If the bill passes, the Speaker of the House and the President of the Senate sign it, and it is sent to the President of the United States.
10. PRESIDENT ACTS ON THE BILL. If the President signs the bill, it becomes law. If he chooses not to sign the bill and does not say "no" (veto), it becomes law without his signature after 10 days. If the President vetoes a bill, it can still become law if two-thirds of the members of each House votes to overrule (override) the veto.

## What is the Basis of Congressional Power?

Delegated powers written into the Constitution under Article I, Section 8, include the authority to:

1. Collect money (taxes);
2. Borrow money;

3. Regulate interstate and foreign commerce;
4. Regulate bankruptcy;
5. Regulate naturalization;
6. Coin money;
7. Regulate weights and measures;
8. Punish counterfeiting;
9. Establish post offices;
10. Regulate copyrights and patents;
11. Set up federal courts;
12. Punish piracy and treason;
13. Declare war;
14. Support armies;
15. Support a navy;
16. Establish military law;
17. Protect the nation; and
18. Govern the District of Columbia (D.C.).

## What are the Non-legislative (Non Lawmaking) Powers of Congress?

The House and Senate committees often investigate:

1. The need for new laws;
2. Behavior against the public interest; and
3. Changing patterns of American life.

The Senate has the authority to confirm appointments. This means that the President's choice for cabinet positions, judges, ambassadors and agency heads must be approved by Congress.

Congress usually proposes amendments to the Constitution.

In addition, Congress has the power of impeachment. This means that the Congress functions like a court to decide if a federal official, including the President, should be removed from office.

## How Has the Power of Congress Grown?

American citizens have asked the federal government to do more and more. The public wants economic security, as well as military security. They want old-age benefits, unemployment insurance, health care, welfare and thousands of other services not known in 1789. The services cost billions of dollars and Congress has to collect the money and decide which services are funded.

## **The Judicial Branch: The Courts**

Federal Level	State Level	Local Level
Supreme Court	State Supreme Court	Combined with State
Federal Court of Appeals	State Court of Appeals	
Federal District Courts	Superior Court	
Special Courts	Municipal Court	
	Small Claims Court	

The judicial system:

1. Decides civil cases (disputes between plaintiffs and defendants);
2. Decides guilt in criminal cases;
3. Acts as a check-and-balance against the executive and legislative branches; and
4. Changes laws by decisions that are precedents (common law).

The decision as to which cases are heard by each court depends on whether state or federal laws are involved. Cases involving the delegated powers or the Constitution are heard in the federal courts. Most all other cases are heard in the state courts.

The highest level of federal court is the Supreme Court. It has original jurisdiction for cases involving ambassadors from foreign countries and disputes between states. All other cases are appeals from lower courts. Appeals come from the federal Court of Appeals or from state supreme courts.

There are nine Supreme Court justices (judges) appointed for life by the President and confirmed by the Senate.

Each Supreme Court decision is by majority vote.

## **STATE GOVERNMENT**

The state government is similar to the federal government; it has three branches of government.

### **Executive Branch of State Government**

The chief executive in every state is the governor. The governor has executive officers to assist in carrying out gubernatorial responsibilities. These officers may be appointed by the governor or may be elected by the people. The governor enforces the laws of the state and sees to it that the work of the various departments is done properly. He may also suggest to the Legislature what laws should be passed or changed. The governor appoints judges to state courts. Gray Davis (Democrat) has been Governor of the State of California since 2000.



The people of the State of California also elect the following officers:

- **Lieutenant Governor:** Presides over the State Senate and takes the place of the governor whenever necessary. (Cruz Bustamante, Democrat)
- **Secretary of State:** Official record keeper for the state. (Bill Jones, Republican)
- **Attorney General:** Chief law enforcement officer in the state, represents the state in the courts. (Bill Lockyer, Democrat)
- **State Treasurer:** Manages the state's money that comes from taxes, licenses, and fees. (Phil Angelides, Democrat)
- **State Controller:** Disburses state funds and examines all the financial records of the state. (Kathleen Connell, Democrat)
- **Superintendent of Public Instruction:** Oversees educational policy in the state. (Delaine Eastin, Democrat)
- **Insurance Commissioner:** Oversees insurance policy in the state. (Harry Low, Democrat)

### **Legislative Branch of State Government**

The legislative, or lawmaking, body is the state Legislature. The legislature's duty is to make laws that serve the needs of the people. All state legislatures, except Nebraska, are comprised of two Houses. In California, the upper house is called the Senate, the lower house is called the Assembly. California has a total of 40 state senators and 80 assemblymembers.

### **Judicial Branch of State Government**

Each state has its own rules about state courts — lower courts, courts of appeal and the state Supreme Court.

State courts hear cases that involve state laws or the state constitution relating to crime, property, marriage, wills, etc.

#### **CRIMINAL CASES**

Theft, arson, kidnapping, assault, rape, murder, drunkenness, child abuse, gambling, speeding, unsafe driving, and state laws/constitution.

#### **CIVIL CASES**

Divorce, property disputes, debts and contract disputes, personal injury, disputes about money, bankruptcy, and state laws/constitution.

(Because courts are named differently in different states, our local state courts listed below are used as an example.)

**Small Claims Court** hears the lowest level cases, which are all civil cases involving small amounts of money, with a \$5,000 limit. There are no lawyers — only the plaintiff, defendant, and a judge who makes the decision.

**Municipal Court** hears civil cases involving less than \$25,000, the lowest level of criminal cases (misdemeanors), and the arraignment (first hearing) of felonies. This court has a judge and may or may not have a jury.

**Superior Court** has a judge and usually a jury. There are five kinds of cases heard in Superior Court:

1. Civil cases more than \$25,000.
2. Felony (usually with a jury).
3. Probate (disposition of property of a person who dies without a will).
4. Family relations (divorce, child custody, etc.).
5. Juvenile (defendant is less than 16 years of age).

**State Appeals Courts** have no juries. The judge examines cases already settled to determine if they were decided properly.

**State Supreme Court** is the highest state court. Seven justices hear and decide cases sent from lower courts. Cases that involve the federal constitution can be appealed from here to the federal Supreme Court.

## **LOCAL GOVERNMENT**

### **County**

The county is the most important level of local government within the state. A board of supervisors (usually five supervisors) runs county government. The voters of the county elect the members of the board for four-year terms.

In addition to the county board of supervisors, there are other county officers who help do the work of the county government such as the assessor, district attorney, and the treasurer.

### **City**

In cities, voters elect a mayor and city council to represent them. Many cities elect their council members by district. City laws are called ordinances.

### **Special Districts**

The unincorporated area (the part of the county where there is no city) may have one or more special districts which provide a number of services such as fire protection, parks and recreation, and water.

## HISTORIC U.S. WARS

The United States has been engaged in the following wars:

1. The Revolutionary War (1775-1785)

Participants: Thirteen Colonies and Great Britain.

Cause: "Taxation without representation."

Result: U.S. secured its independence

2. The War of 1812 (1812-1814)

Participants: United States and Great Britain.

Cause: "the freedom of the seas."

Result: U. S. won commercial independence

3. The Mexican-American War (1846-1848)

Participants: United States and Mexico.

Cause: Dispute over the borderline between the two countries.

Result: New Mexico and California were added to U.S. territory

4. The Civil War (1861-1865)

Participants: Northern States vs. Southern States.

Cause: Slavery, secession and state's rights.

Result: Abolition of slavery

5. The Spanish - American War (1898)

Participants: United States and Spain.

Cause: Spain's tyranny in Cuba and the destruction of the U.S. battleship, Maine.

Result: Spain ceded Puerto Rico, Guam and the Philippines to the U.S. ; Cuba became independent.

6. World War I (1917-1918)

Participants: England, France, the United States and their allies against Germany and its allies.

Cause: Germany's ambition for power and expansion of territory.

Result: The overthrow of the German government and the liberation of several small nations

## 7. World War II (1941-1945)

Participants: England, France, the United States and their allies against Germany, Japan, Italy and their allies.  
Cause: Germany, Japan, and Italy's ambition for expansion of territory  
Result: The curbing of Germany, Japan and Italy's ambitions

The United States has also fought several undeclared wars including the following:

### 1. The Korean Conflict (1950-1953)

Participants: U.S., South Korea and the United Nations against North Korea and the People's Republic of China  
Cause: North Korea's invasion of South Korea  
Result: South Korea retained its independence

### 2. The Vietnam Conflict (1965-1975)

Participants: U.S. backed South Vietnam against North Vietnam.  
Cause: Expansion of communism in Southeast Asia.  
Result: South Vietnam, Laos, and Cambodia ruled by communism

### 3. The Gulf War (1990-1991)

Participants: U.S., Kuwait, Great Britain, Egypt, France, Saudi Arabia, the United Arab Emirates and their allies against Iraq  
Cause: Iraq's invasion of Kuwait  
Result: Iraq's military forces were expelled from Kuwait

## QUESTIONS AND ANSWERS ON THE HISTORY, CONSTITUTION, AND GOVERNMENT OF THE UNITED STATES

1. Who discovered America and when?

Christopher Columbus, in 1492.

2. Who was the first President of the United States of America and when was he elected?

George Washington, in 1789.

3. When is the birthday of our country?

July 4, 1776.

4. From what European country was our independence won? What was the name of the war?

England (Great Britain); the Revolutionary War.

5. Who was the commander of the Revolutionary Army?

George Washington.

6. When and where was the Declaration of Independence signed?

On July 4, 1776, in Philadelphia, Pennsylvania.

7. Who wrote the Declaration of Independence?

Thomas Jefferson.

8. What did the Declaration of Independence declare?

It declared that all men are created equal.

9. What is the name of the United States of America's flag?

"Stars and Stripes."

10. How many stars are there on our flag?

50 stars — each star represents a state.

11. Name the colors of our flag and the meaning of each color?

There are three colors: red, white and blue. Red stands for courage; white stands for truth; and blue stands for justice.

12. How many stripes are there on the flag and what do they represent?

There are 13 stripes representing the original 13 colonies.

13. Name the thirteen original states.

Connecticut	Massachusetts	North Carolina
Delaware	New Hampshire	Pennsylvania
Georgia	New Jersey	Rhode Island
Maryland	New York	South Carolina
Virginia		

14. What is the name of our national anthem?

"Star Spangled Banner."

15. Name the bird which symbolizes the United States.

The bald eagle.

16. Where is the capital of the United States?

Washington, D.C. (District of Columbia).

17. Where is the Liberty Bell located?

Independence Hall, Philadelphia.

18. What is our national motto?

"In God we trust."

19. What form of government do we have in the United States?

A Republic.

20. What is a Republic?

A government represented by the people through their elected representatives.

21. When did the Civil War take place?

From 1861 to 1865.

22. What caused the Civil War?

Slavery, the secession of the southern states and the dispute concerning state's rights.

23. Who was the President during the Civil War?

Abraham Lincoln, the 16th President of the United States.

24. When was the United States involved in World War I and who was the President at that time?

From 1917 to 1918. Woodrow Wilson (Democrat) was President.

25. When did World War II take place and who was the President of the United States at that time?

From 1941 to 1945. Franklin Roosevelt (Democrat) was President.

26. Name three nations in World War II that we fought against.

Japan, Italy, and Germany.

27. When was the Korean War?

It was from 1950 to 1953.

28. Who started the Korean War? Who was the President of the United States during that time?

The North Korean Communists invaded South Korea. Harry Truman (Democrat) was President of the United States.

29. Name three United States Presidents who were in office during the Vietnam War.

John Kennedy (Democrat), Lyndon Johnson (Democrat), and Richard Nixon (Republican).

30. What is the highest law of the United States?

The Constitution.

31. What are the principles of the Constitution?

Liberty, equality, and justice.

32. When and where was the Constitution written?

Philadelphia, Pennsylvania, in 1787.

33. How many times has the Constitution been amended?

Twenty-seven times.

34. What is an amendment?

A change or an addition.

35. What are the first ten (10) amendments called?

The Bill of Rights.

36. What does the Bill of Rights guarantee the people?

- Freedom of speech.
- Freedom of religion
- Freedom of the press.
- The right of peaceable assembly and petition.
- The right to a fair and speedy trial.
- The right to have bail.
- The right to a jury trial.
- The right to security in the home.

37. What does freedom of the press mean?

Freedom of the press means being able to publish anything you wish, as long as it is not libelous.

38. What does freedom of religion mean?

Freedom of religion is the ability to worship in any faith, or not to worship at all.

39. Name three different branches of the United States government.

Legislative, executive, and judicial.



40. What does each branch do?

The legislative branch makes the laws, the executive branch enforces the laws, and the judicial branch interprets the laws.

41. Who makes the laws for the United States?

Congress.

42. How many houses are there in Congress?

Two, the Senate and the House of Representatives.

43. How many United States Senators does each state have?

Two U.S. Senators.

44. How many members are there in the Senate?

100.

45. Name the two Senators from California.

Dianne Feinstein (Democrat) and Barbara Boxer (Democrat).

46. How many Representatives are there in the House of Representatives?

435.

47. How long do Representatives serve?

Two years.

48. How many Members are there in the House of Representatives from the state of California?

52.

49. How long do senators serve?

Six years.

50. Who presides over the Senate?

The Vice President (Dick Cheney).

51. Who presides over the House of Representatives?

The Speaker of the House (Dennis Hastert).

52. When and where does Congress meet?

Beginning on January 3rd of each year, in Washington, D.C.

53. What is a bill?

A proposed law.

54. How do bills become laws?

Bills become laws in one of three ways:

1. Majority vote of both Houses of Congress and the signature of the President.
2. Majority vote of both Houses of Congress. The bill must then be sent to the President. If the President vetoes the bill, it is sent back to the House in which it started. If both Houses pass it again (veto override) by a two-thirds vote, it becomes law without the signature of the President.
3. Majority vote of both Houses of Congress. The bill is then sent to the President. If the President keeps the bill ten days (not counting Sundays), it becomes a law without his signature, if Congress is still in session.

55. What are the powers of Congress?

- To make laws.
- To raise money through taxation.
- To coin money.
- To declare war.
- To establish federal courts.
- To establish post offices.
- To grant patents and copyrights.
- To provide an army and navy for the United States.
- To naturalize aliens.

56. Can the laws of the United States be changed?

Yes, all laws passed by Congress may be changed or repealed by Congress.

57. Where does Congress get its power?

The powers of Congress are given by the people through the Constitution of the United States.

58. Who is the chief executive of the United States?

The President.

59. How is the President elected?

By the people — the people elect presidential electors (Electoral College) who then elect the President.

60. How are the electors chosen?

By the people.

61. How many electors does each state have?

A number equal to the number of United States Senators and Representatives in Congress.

62. How many presidential electors does the State of California have?

54. One for each senator (2) and representative (52). The electors cannot be elected officials.

63. How long is the term of the President?

Four years.

64. How many times can the President be re-elected?

One time.

65. How many terms can a President serve?

Two; the 22nd Amendment limits a President to two terms.

66. When does the President take office?

On January 20th following the election.

67. Who is the current President of the United States?

George W. Bush (Republican).

68. Who is the Vice President of the United States?

Dick Cheney (Republican).

69. If the President dies while he is in office, who takes his place?

The Vice President. If both the President and Vice President die, the Speaker of the House becomes President.

70. Who became the President of the United States without being elected either President or Vice President?

Gerald Ford (Republican) became President when Richard Nixon (Republican) resigned in order to avoid impeachment by Congress. Ford had earlier been appointed Vice President when the elected Vice President resigned.

71. What are the qualifications for being President of the United States?

The candidate must be a natural born citizen, at least 35 years of age, and a resident of the United States for at least 14 years preceding the election.

72. State some of the principal duties of the President.

- To enforce the laws and treaties of the nation.
- To appoint Cabinet members.
- To protect the nation's interest.
- To protect the citizens of the United States.

73. What are the chief political parties in the United States?

Democrat and Republican.

74. Who can declare war against another country?

Congress (not the President).

75. Name the cabinet positions.

1. Secretary of State.
2. Secretary of the Treasury.
3. Secretary of Defense.
4. Attorney General.
5. Secretary of the Interior.
6. Secretary of Agriculture.
7. Secretary of Commerce.
8. Secretary of Labor.
9. Secretary of Health and Human Services.
10. Secretary of Transportation.
11. Secretary of Housing and Urban Development.
12. Secretary of Energy.
13. Secretary of Education.
14. Secretary of Veterans Administration

76. What is the highest court in the United States?  
The United States Supreme Court.
77. How many justices are there in the United States Supreme court?  
Nine.
78. Who is the chief justice of the United States Supreme Court?  
William Rehnquist.
79. How do Supreme Court justices get their positions?  
The President, with the consent of the Senate, appoints them.
80. Where and when does the Supreme Court meet?  
In Washington, D.C., from October to May.
81. What is the meaning of "veto"?  
To reject a bill passed by a legislative body.
82. Who may veto a bill passed by Congress?  
The President.
83. What is the most important principle of the United States government?  
The protection of individual rights.
84. Who is the Chief Executive of California?  
The Governor.
85. How long is the term of the Governor?  
Four years.
86. Who is the Governor of California?  
Gray Davis (Democrat).
87. Where is the State Capitol of California?  
Sacramento.

88. Who makes the laws for California?

The State Legislature, which consists of the Senate and the Assembly.

89. How many Members are there in the State Senate and the Assembly?

The Senate has 40 members. The Assembly has 80 members.

90. How long do Assemblymembers and Senators serve?

Senators may serve up to two terms of four years. Assembly members may serve up to three terms of two years.

91. Who presides over the State Senate?

The Lieutenant Governor (Cruz Bustamante, Democrat).

92. Who presides over the Assembly?

The Speaker of the Assembly (Robert M. Hertzberg, Democrat).

93. Name the State Senator for the 24th Senate District.

State Senator Gloria Romero (Democrat).

94. Who is the State Assembly representative for the 49th Assembly District?

Assemblymember Judy Chu (Democrat).

95. Who is the Member of the House of Representatives for the 31st Congressional District?

Congresswoman Hilda Solis (Democrat).

96. Who runs the Los Angeles county government?

The Board of Supervisors.

97. Who is the Mayor of the City of Los Angeles?

Mayor James Hahn.

98. Can the people of California make laws?

Yes, through the initiative process. The people can also repeal laws by referendum.

99. What is the highest court of the state?

The California Supreme Court, which consists of a Chief Justice and six Associate Justices.

100. Who is the Chief Justice of the California Supreme Court?

Justice Ronald M. George.

101. What is the largest state in area in the United States?

Alaska.

102. Where is the statue of Liberty?

Liberty Island, in New York City Harbor.

103. Who said "Give me liberty or give me death"?

Patrick Henry, a leader of one of the 13 colonies.

104. When did the Revolutionary War end?

Lord Cornwallis of Great Britain surrendered to George Washington at Yorktown, Virginia in 1781.

105. What are the 49th and 50th states of the U.S.?

Alaska and Hawaii.

106. Why did the Pilgrims come to America?

The Pilgrims came from England to America seeking religious freedom. They came on the Mayflower ship and landed at Plymouth Rock, Massachusetts.

107. Who wrote the Star Spangled Banner?

Francis Scott Key.

108. Who wrote the Emancipation Proclamation?

President Abraham Lincoln.

109. What is the introduction to the U.S. Constitution called?

The Preamble.

110. What is the minimum voting age in the United States?

Eighteen years of age.

111. What is the most important right granted to U.S. citizens?

The right to vote.

112. What is the President's official home?

The White House.

113. Where and when does the California Legislature meet?

Sacramento, starting in December of each general election year.

114. State the Pledge of Allegiance.

"I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands; one nation under God, indivisible, with liberty and justice for all."

115. Can you vote before you become a U.S. citizen?

No.



## PERSONAL QUESTIONS

1. Have you ever committed any crime or been arrested for breaking any law?
2. Are you, or have you been associated with the Communist Party?
3. Have you ever been confined as a patient in a mental institution?
4. Do you believe in the constitutional form of government of the United States?
5. Are you willing to bear arms on behalf of the United States?
6. Have you ever registered for the United States Selective Services?
7. How many times have you been married?
8. Do you owe any federal taxes?
9. Have you ever been:
  - a. an alcoholic?
  - b. a prostitute?
10. Have you ever practiced any of the following:
  - a. polygamy?
  - b. drug trafficking (including marijuana)?
11. Have you resided in the United States continuously for the last five years?
12. Why do you want to be a United States citizen?
13. Have you worked in the past three years?
14. Where were you born? When?
15. Do you go to school? Where?
16. Do you intend to live in the United States of America?



# Judy Chu

*Assemblymember, 49th District*

**Capitol Office:**

State Capitol  
Sacramento, CA 95814  
(916) 319-2049

**District Office:**

1255 Corporate Center Drive, Suite PH. 9  
Monterey Park, CA 91754  
(323) 981-3426

**E-Mail :**

[Assemblymember.Chu@assembly.ca.gov](mailto:Assemblymember.Chu@assembly.ca.gov)